

10/560810

15 DEC 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yoshiharu KOBAYASHI et al. : Mail Stop: PCT

Serial No. NEW : Attorney Docket No. 2005_1750A

Filed December 15, 2005 :

OPTICAL DISK APPARATUS AND

OPTICAL DISK

[Corresponding to PCT/JP2004/018578

Filed December 13, 2004]

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of the references listed on attached form PTO-1449 and any additional information identified below in paragraph 3. A legible copy of each reference listed on the Form PTO-1449 is enclosed, except a copy is not provided for:

- each U.S. Patent and U.S. Patent application publication;
- each reference previously cited in the international application
PCT/_____; and/or
- each reference previously cited in prior parent application Serial No.
_____.

1a. [X] This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

ATTACHMENT D

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

- 1b. This Information Disclosure Statement is submitted
after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:
(1) the certification of paragraph 2 below is provided, **or**
(2) the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

- 1c. This Information Disclosure Statement is submitted:
after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:
the certification of paragraph 2 below is provided, and
the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

2. It is hereby certified
- a. that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
 - b. that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

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3. Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.
4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:
 - a. a full or partial English language translation submitted herewith,
 - b. an International Search Report (in the English language) submitted herewith,
 - c. the concise explanation contained in the specification of the present application at page,
 - d. the concise explanation set forth in the attached English language abstract,
 - e. the concise explanation set forth below or on a separate sheet attached to the reference:

JP 2002-117550 corresponds to US 2004/0090897

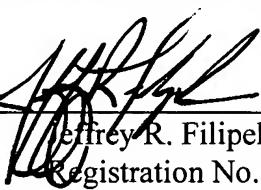
JP 2001-505701 corresponds to US 6,009,065

5. an International Search Report citing one or more of the references is enclosed.

Respectfully submitted,

Yoshiharu KOBAYASHI et al.

By _____


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December 15, 2005

Sheet 1 of 1

INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (*modified*)ATTY DOCKET NO.
2005_1750ASERIAL NO.
NEW 80/560810U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICELIST OF REFERENCES CITED BY APPLICANT(S)
(*Use several sheets if necessary*)

Date Submitted to PTO: December 15, 2005

APPLICANT
Yoshiharu KOBAYASHI et al.FILING DATE
December 15, 2005

GROUP

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	2004/0090897	5-13-04	Akiyama et al.			
	AB	6,009,065	12-28-99	Glushko et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AC	2002-117550	4-19-02	Japan			corresponds to AA
	AD	2000-76678	3-14-00	Japan			abstract
	AE	7-272299	10-20-95	Japan			abstract
	AF	4-366428	12-18-92	Japan			abstract
	AG	2003-91846	3-28-03	Japan			abstract
	AH	2003-85818	3-20-03	Japan			abstract
	AI	2001-505701	4-24-01	Japan			corresponds to AB
	AJ	8-45080	2-16-96	Japan			abstract
	AK						
	AL						

OTHER DOCUMENT(S) (*Including Author, Title, Date, Pertinent Pages, Etc.*)

	AM	
	AN	
	AO	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.